

1 Pursuant to Federal Rule of Civil Procedure 16 and Civil Local Rule 16-2(d), the above
2 captioned Parties, by and through their undersigned counsel, stipulate as follows:

3 WHEREAS, Plaintiff Lynn Zimmerman (“Plaintiff”) filed her complaint on December 2,
4 2022 (ECF 1) and an errata complaint on December 9, 2022 (ECF 9);

5 WHEREAS, pursuant to stipulation (ECF 13), Defendant L’Oréal USA, Inc.
6 (“Defendant”) filed its motion to dismiss (the “Motion”) on January 9, 2023 (ECF 26);

7 WHEREAS, the hearing on Defendant’s Motion is set for 2:00 pm on May 4, 2023 (ECF
8 26);

9 WHEREAS, the Court so-ordered the Parties’ stipulation (ECF 28) providing that
10 Plaintiff’s opposition to Defendant’s Motion is due on February 24, 2023 and Defendant’s reply
11 in support of its Motion is due on March 17, 2023 (ECF 29);

12 WHEREAS, the initial case management conference (the “Case Management
13 Conference”) in this action is currently set for March 7, 2023 at 2:00 pm;

14 WHEREAS, pursuant to the schedules entered upon the filing of this action, the Parties’
15 ADR certifications are due on February 9, 2023 and the Parties’ initial disclosures are due on
16 February 23, 2023 (ECF 4), and the Parties’ joint case management report is due on February 28,
17 2023 (ECF 19);

18 WHEREAS, the Parties believe that it would be most efficient for the Court and
19 Parties—the Court’s schedule permitting—for Defendant’s Motion to be heard and the Case
20 Management Conference to be held on the same date, and for all other initial case management
21 deadlines (i.e., the deadlines for filing the Parties’ joint case management report and ADR
22 certifications, and for serving initial disclosures) to be adjusted accordingly;

23 WHEREAS, the continuance requested herein will otherwise have no effect on the
24 schedule for the case;

25 WHEREAS, there have been no previous requests to continue the Case Management
26 Conference date or initial case management deadlines;

1 NOW, THEREFORE, the Parties stipulate and agree that, subject to Court approval of
2 this Stipulation:

3 • the Case Management Conference is continued from March 7, 2023 to May 4,
4 2023 at 2:00 pm.

5 • The deadline for the Parties to file their joint case management report is continued
6 from February 28, 2023 to April 27, 2023, one week before the proposed date for
7 the Case Management Conference;

8 • The deadline for the Parties to file their ADR certification is continued from
9 February 9, 2023 to April 13, 2023, 21 days before the proposed date for the Case
10 Management Conference; and

11 • The deadline for the Parties to serve their initial disclosures is vacated, and is to
12 occur 14 days after the Rule 26(f) Conference, in accordance with Federal Rule of
13 Civil Procedure 26(a)(1)(C).

14 STIPULATED AND AGREED TO this 31st day of January, 2023.

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FILER ATTESTATION

I, Thomas B. Mayhew, attest under Local Rule 5-4.3.4(a)(2)(i) that all other signatories listed, and on whose behalf the filing is submitted, concur in the filing's content and have authorized the filing.

s/ Thomas B. Mayhew
Thomas B. Mayhew

[PROPOSED] ORDER

PURSUANT TO JOINT STIPULATION, IT IS SO ORDERED!

- The Case Management Conference is continued from March 7, 2023 to May 4, 2023 at 2:00 pm.
- The deadline for the Parties to file their joint case management report is continued from February 28, 2023 to April 27, 2023;
- The deadline for the Parties to file their ADR certification is continued from February 9, 2023 to April 13, 2023; and
- The deadline for the Parties to serve their initial disclosures is vacated and is to occur in accordance with the Federal Rules of Civil Procedure.

Dated: _____

The Honorable Haywood S. Gilliam, Jr.
United States District Judge
Northern District of California